



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and
Hazardous
Materials Safety
Administration**

DOT-E 13958

EXPIRATION DATE: June 30, 2007

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Department of the Army
Fort Eustis, VA

(See Appendix A for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of low specific activity LSA-II radioactive waste in non-specification packages consisting of either gondola rail cars with an 18-mil high density polypropylene (HDPP) liner (Super Load Wrapper™) or in tarpaulin-covered dump trucks with a 4 to 6-mil high density polyethylene (HDPE) liner. Transportation under this exemption is authorized from rail spurs at the St. Louis Downtown Site (SLDS) and the North St. Louis County sites (SLAPS (St. Louis Airport Site), EVA rail spur, and HISS (Hazelwood Interim Storage Site)/Futura rail spur) to waste disposal sites at Envirocare of Utah in Clive, UT, and U. S. Ecology Idaho at Grand View, Idaho. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: § 173.427(b)(1), as it pertains to the requirement that LSA-II material be transported in an IP-2 container.

5. BASIS: This exemption is based on the application of the Department of the Army dated August 30, 2004, submitted in accordance with § 107.105 and the public proceeding thereon, and additional information dated April 20, April 28, May 20, and June 21, 2005.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Hazardous Material Description | | | |
|--|------------------------|-----------------------|---------------|
| Proper Shipping Name | Hazard Class/ Division | Identification Number | Packing Group |
| Radioactive material, low specific activity (LSA-II), <i>non fissile or fissile-excepted</i> | 7 | UN3321 | N/A |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are gondola rail cars lined with 18 mil Super Load Wrappers™, or tarpaulin-covered dump trucks with 4 to 6 mil HDPE heavy duty liners. The edges of the Super Load Wrappers™ and HDPE liners must overlap and be secured to avoid escape of the enclosed material under normal conditions of transport.

b. OPERATIONAL CONTROLS -

(1) All shipments must be consigned under exclusive use provisions.

(2) Rail shipments under this exemption are limited to those from four U. S. Army Corps of Engineers rail spurs in St. Louis, MO (St. Louis Downtown Site, St. Louis Airport Site, Hazelwood Interim Storage Site, and Eva Rail Spur), to Envirocare of Utah in Clive, Utah, or to the U. S. Ecology Idaho rail transfer facility near Mountain Home, Idaho. Material to be shipped by rail under this exemption may contain no more than 200 Bq/g (5,400 pCi/g) of thorium-230.

(3) Truck shipments under this exemption are limited to those from the U. S. Ecology Idaho rail transfer facility

near Mountain Home, Idaho, 36 miles to a U. S. Ecology Idaho RCRA disposal site near Grand View, Idaho. Material to be shipped by truck under this exemption may contain no more than 70 Bq/g (2000 pCi/g) of thorium-230.

(4) Prior to shipment, the gondola rail car shipments must be certified in accordance with the St. Louis District U. S. Army Corps of Engineers Internal Standard Operating Procedures for Certifying Shipments at the St. Louis District Formerly Utilized Sites Remedial Action Program (FUSRAP), submitted in conjunction with this application and on file in this office.

(5) Prior to shipment, the truck shipments must be checked in accordance with the U. S. Ecology Idaho Quality Assurance Project Plan (QAPP) for the Transportation of Thorium 230 in excess of its A₂ Quantity, on file in this office.

(6) Each rail car and each dump truck must be plainly and durably marked "DOT-E 13958" in accordance with § 172.302(c). This marking must be removed or covered during transport in which the exemption is not utilized.

(7) There may be no leakage of radioactive material from the conveyance.

(8) The conveyance must be placarded in accordance with 49 CFR Part 172, subpart F.

8. SPECIAL PROVISIONS:

a. A current copy of this exemption must be maintained at each facility where the package is offered for transportation.

b. The grantee must ensure that each rail carrier involved in the transportation of these packages is provided with a copy of the exemption.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight and motor vehicle.

10. MODAL REQUIREMENTS:

a. The rail carrier must maintain a current copy of this exemption on file during transportation.

b. A copy of this exemption must accompany each truck shipment under this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

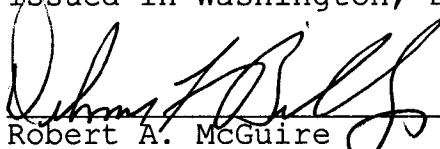
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.:


Robert A. McGuire

fu Associate Administrator for
Hazardous Materials Safety

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(DATE)

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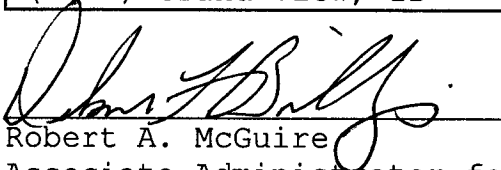
Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: FDF/AM

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

| Company Name City/State | Application Date | Issue Date | Expiration Date |
|---|---------------------|---------------|--------------------|
| US Ecology Idaho, Inc. (USEI) Grand View, ID | Jun 30, 2005 | JUL - 1 2005 | Jun 30, 2007 |

for

Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

JUL - 1 2005

Date